### United States Court of Appeals

District of Columbia Circuit Washington, D.C. 20001-2866

Mark J. Langer Clerk

Posted: October 30, 2008 Amended: January 15, 2009 General Information (202) 216-7000

# NOTICE REGARDING OPEN REGISTRATION TO RECEIVE ELECTRONIC NOTICING FROM CM/ECF

The United States Court of Appeals for the District of Columbia Circuit is currently in the process of fully implementing the appellate version of the federal judiciary's Case Management/Electronic Case Files ("CM/ECF") system. The Case Management ("CM") phase of the project was completed in March of this year and we expect to complete the Electronic Case Files ("ECF") phase by Spring of 2009. Once the ECF phase has been completed, the court will be capable of accepting electronic filings from the public.

To further our progress towards completing ECF's implementation, the court will allow attorneys and pro se litigants to register to receive electronic notification of case activity beginning on Monday, November 3, 2008. During this interim phase, persons electing to participate will receive electronic Notices of Docket Activity ("NDA") by email whenever the court makes an entry on the docket in any of their cases. Only attorneys and pro se parties who have entered an appearance and are listed on the court's docket will receive electronic Notices of Docket Activity in a particular case.

NDA's will contain docket entry and recipient information, as well as, a hyperlink to court-generated documents (including notices, orders, judgments, opinions, and other correspondence) associated with the entry. They will not, however, contain links to party filings until after electronic filing has commenced. When an NDA is received, the recipient will receive "one free look" at any hyperlinked documents, however, subsequent views or accessing the docket sheet from an NDA will incur standard PACER charges. A sample copy of an NDA and its corresponding order appear on the following pages.

To begin receiving electronic notification, participants must register for a D.C. Circuit ECF filer account through the PACER Service Center. At this time, registration will be limited to official court reporters, attorneys who are members of the D.C. Circuit Bar, and pro se parties in <u>pending</u> cases only. All registration requests received from applicants not fitting these qualifications will be rejected. By registering to participate in electronic noticing, the participant consents to receiving only electronic service of all court documents in a case.

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To register for an appellate ECF filer account, go to the PACER Service Center's web site at <a href="http://pacer.psc.uscourts.gov/announcements/general/ea\_filer.html">http://pacer.psc.uscourts.gov/announcements/general/ea\_filer.html</a>.

Participants who register for electronic noticing must promptly inform the court if their email address or address changes by either updating their appellate filer account information through the PACER Service Center, or by submitting a change of address form to the court. Change of address forms are available from the Forms page of the court's website at <a href="http://www.cadc.uscourts.gov/">http://www.cadc.uscourts.gov/</a>.

For further information, please contact the Clerk's Office CM/ECF Help Line at 202-216-7259, or the PACER Service Center at 800-676-6856.

### Sample Notice of Docket Activity (NDA)

\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\* Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing.

United States Court of Appeals for DC Circuit

#### Notice of Docket Activity

The following transaction was entered on 10/28/2008 at 4:29:08 PM EDT and filed on 10/28/2008

Case Name: Theodore Lucas v. Roderick Paige

Case Number: 07-5264 Hyperlink to PACER Docket Report
Document(s): Document(s) Hyperlink to PDF of Attached Order

#### Docket Text:

CLERK'S ORDER filed [1146360] granting motion of NELA to participate as amicus curiae [1144897-2]; The Clerk is directed to file Amicus brief [1143171-2] [07-5264]

The following document(s) are associated with this transaction:

Document Description: Order Sent

Original Filename:/opt/ACECF/live/forms/butler\_075264\_1146360\_F\_ITVGrantSingleAmicusMotion\_167.pdf

#### Electronic Document Stamp:

[STAMP acecfStamp\_ID=1109186823 [Date=10/28/2008] [FileNumber=1146360-0]

[0b18dff9935655139c95d99b8c03aa1b72b0545d2cf1065c5fbfe00cccfa22252fd34247db7d78bcdcbcf6d1254cda8c54839ab893bfb4765e8658498eb6fe42]]

#### Recipients:

- Mr. Karl, John F., Jr.
- Mr. Lawrence, R. Craig, Assistant U.S. Attorney
- Mrs. Momeni, Mercedeh, Assistant U.S. Attorney
- Mr. Renner, Richard Randolph

#### Notice will be electronically mailed to:

Mrs. Momeni, Mercedeh, Assistant U.S. Attorney. Mercedeh. Momeni@usdoj.gov

Mr. Lawrence, R. Craig, Assistant U.S. Attorney: craig.lawrence@usdoj.gov, tammatha.l.dawkins@usdoj.gov (daily summary)

#### Notice will be mailed to:

Mr. Karl, John F., Jr. McDonald & Karl 1090 Vermont Avenue, NW Suite 500

Washington, DC 20005

Mr. Renner, Richard Randolph

Tate & Renner

505 North Wooster Avenue

PO Box 8

Dover, OH 44622-0000

The following information is for the use of court personnel:

DOCKET ENTRY ID: 1146360

 ${\bf RELIEF}(S) \ {\bf DOCKETED};$ 

participate as amicus curiae

DOCKET PART(S) ADDED: 2572818, 2567954, 2562813, 2572819

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 07-5264

September Term 2008

01cv02393

Filed On: October 28, 2008 [1146360]

Theodore R. Lucas,

Appellant

٧.

Margaret Spellings, In her official capacity as Secretary, U.S. Department of Education, her agents and successors,

Appellee

### <u>ORDER</u>

Upon consideration of the unopposed motion of the National Employment Lawyers Association for leave to file brief as amicus curiae, it is

**ORDERED** that the motion be granted. The Clerk is directed to file the lodged amicus brief.

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Mark A. Butler Deputy Clerk